

Attachment 3

Categorical Exclusion Checklist for Proposed TVA Actions

Categorical Exclusion Number Claimed	Organization ID Number RLR191593 & RLR191592	Tracking Number <i>(NEPA Administration Use Only)</i> 20511
Form Preparer Anthony David Summitt	Project Initiator/Manager Anthony David Summitt	Business Unit OE&R - Environmental Stewardship & Policy
Project Title 26a Category 3 RLR191593 & RLR191592 Mr. Kevin S. Rose Federal Highway Administration Watts Bar-Cli		Hydrologic Unit Code
Description of Proposed Action <i>(Include Anticipated Dates of Implementation)</i> <input checked="" type="checkbox"/> Continued on Page 3 <i>(if more than one line)</i> For Proposed Action See Attachments and References		
Initiating TVA Facility or Office Watts Bar-Clinch Watershed Team	TVA Business Units Involved in Project For Business Unit Listing See Attachments and References	
Location <i>(City, County, State)</i> CUMBERLAND, TN, County, State: CUMBERLAND, TN Map Sheet(s): 109 NE Quad Sheet Streams(s): Obed R		

Parts 1 through 4 verify that there are no extraordinary circumstances associated with this action:

Part 1. Project Characteristics

Is there evidence that the proposed action---	No	Yes	Information Source
1. Is major in scope?	X		Summitt A. D. 06/30/2009
2. Is part of a larger project proposal involving other TVA actions or other federal agencies?	X		Summitt A. D. 06/30/2009
*3. Involves non-routine mitigation to avoid adverse impacts?	X		Summitt A. D. 06/30/2009
4. Is opposed by another federal, state, or local government agency?	X		Summitt A. D. 06/30/2009
*5. Has environmental effects which are controversial?	X		Summitt A. D. 06/30/2009
*6. Is one of many actions that will affect the same resources?	X		Summitt A. D. 06/30/2009
7. Involves more than minor amount of land?	X		Summitt A. D. 06/30/2009

* If "yes" is marked for any of the above boxes, consult with NEPA Administration on the suitability of this project for a categorical exclusion.

Part 2. Natural and Cultural Features Affected

Would the proposed action---	No	Yes	Per- mit	Commit- ment	Information Source for Insignificance
1. Potentially affect endangered, threatened, or special status species?		X	No	No	For comments see attachments
2. Potentially affect historic structures, historic sites, Native American religious or cultural properties, or archaeological sites?	X		No	No	For comments see attachments
3. Potentially take prime or unique farmland out of production?	X		No	No	Summitt A. D. 06/30/2009
4. Potentially affect Wild and Scenic Rivers or their tributaries?		X	No	Yes	For comments see attachments
5. Potentially affect a stream on the Nationwide Rivers Inventory?	X		No	No	For comments see attachments
6. Potentially affect wetlands, water flow, or stream channels?		X	No	No	For comments see attachments
7. Potentially affect the 100-year floodplain?		X	No	No	For comments see attachments
8. Potentially affect ecologically critical areas, federal, state, or local park lands, national or state forests, wilderness areas, scenic areas, wildlife management areas, recreational areas, greenways, or trails?		X	No	No	For comments see attachments
9. Contribute to the spread of exotic or invasive species?		X	No	No	For comments see attachments
10. Potentially affect migratory bird populations?	X		No	No	For comments see attachments
11. Involve water withdrawal of a magnitude that may affect aquatic life or involve interbasin transfer of water?	X		No	No	Summitt A. D. 06/30/2009
12. Potentially affect surface water?	X		No	No	Summitt A. D. 06/30/2009
13. Potentially affect drinking water supply?	X		No	No	Summitt A. D. 06/30/2009
14. Potentially affect groundwater?	X		No	No	Summitt A. D. 06/30/2009
15. Potentially affect unique or important terrestrial habitat?	X		No	No	For comments see attachments
16. Potentially affect unique or important aquatic habitat?		X	No	No	For comments see attachments

Part 3. Potential Pollutant Generation

Would the proposed action potentially (including accidental or unplanned)---	No	Yes	Per- mit	Commit- ment	Information Source for Insignificance
1. Release air pollutants?	X		No	No	Summitt A. D. 06/30/2009
2. Generate water pollutants?	X		No	No	Summitt A. D. 06/30/2009
3. Generate wastewater streams?	X		No	No	Summitt A. D. 06/30/2009
4. Cause soil erosion?	X		No	No	For comments see attachments
5. Discharge dredged or fill materials?		X	Yes	No	For comments see attachments
6. Generate large amounts of solid waste or waste not ordinarily generated?	X		No	No	Summitt A. D. 06/30/2009
7. Generate or release hazardous waste (RCRA)?	X		No	No	Summitt A. D. 06/30/2009
8. Generate or release universal or special waste, or used oil?	X		No	No	Summitt A. D. 06/30/2009
9. Generate or release toxic substances (CERCLA, TSCA)?	X		No	No	Summitt A. D. 06/30/2009
10. Involve materials such as PCBs, solvents, asbestos, sandblasting material, mercury, lead, or paints?	X		No	No	Summitt A. D. 06/30/2009
11. Involve disturbance of pre-existing contamination?	X		No	No	Summitt A. D. 06/30/2009
12. Generate noise levels with off-site impacts?	X		No	No	Summitt A. D. 06/30/2009
13. Generate odor with off-site impacts?	X		No	No	Summitt A. D. 06/30/2009
14. Produce light which causes disturbance?	X		No	No	Summitt A. D. 06/30/2009
15. Release of radioactive materials?	X		No	No	Summitt A. D. 06/30/2009
16. Involve underground or above-ground storage tanks or bulk storage?	X		No	No	Summitt A. D. 06/30/2009
17. Involve materials that require special handling?	X		No	No	Summitt A. D. 06/30/2009

Part 4. Social and Economic Effects

Would the proposed action---	No	Yes	Commit- ment	Information Source for Insignificance
1. Potentially cause public health effects?	X		No	Summitt A. D. 06/30/2009
2. Increase the potential for accidents affecting the public?	X		No	Summitt A. D. 06/30/2009
3. Cause the displacement or relocation of businesses, residences, cemeteries, or farms?	X		No	Summitt A. D. 06/30/2009
4. Contrast with existing land use, or potentially affect resources described as unique or significant in a federal, state, or local plan?	X		No	Summitt A. D. 06/30/2009
5. Disproportionately affect minority or low-income populations?	X		No	Summitt A. D. 06/30/2009
6. Involve genetically engineered organisms or materials?	X		No	Summitt A. D. 06/30/2009
7. Produce visual contrast or visual discord?	X		No	Summitt A. D. 06/30/2009
8. Potentially interfere with recreational or educational uses?		X	No	For comments see attachments
9. Potentially interfere with river or other navigation?	X		No	For comments see attachments
10. Potentially generate highway or railroad traffic problems?	X		No	Summitt A. D. 06/30/2009

Part 5. Other Environmental Compliance/Reporting Issues

Would the proposed action---	No	Yes	Commit- ment	Information Source for Insignificance
1. Release or otherwise use substances on the Toxic Release Inventory list?	X		No	Summitt A. D. 06/30/2009
2. Involve a structure taller than 200 feet above ground level?	X		No	Summitt A. D. 06/30/2009
3. Involve site-specific chemical traffic control?	X		No	Summitt A. D. 06/30/2009
4. Require a site-specific emergency notification process?	X		No	Summitt A. D. 06/30/2009
5. Cause a modification to equipment with an environmental permit?	X		No	Summitt A. D. 06/30/2009
6. Potentially impact operation of the river system or require special water elevations or flow conditions??	X		No	Summitt A. D. 06/30/2009
7. Involve construction of a new building or renovation of existing building (i.e., major changes to lighting, HVAC, and/or structural elements of building of 2000 sq. ft or more) on which TVA will pay/pays the utilities??	X		No	Summitt A. D. 06/30/2009

Parts 1 through 4: If "yes" is checked, describe in the discussion section following this form why the effect is insignificant. Attach any conditions or commitments which will ensure insignificant impacts. Use of non-routine commitments to avoid significance is an indication that consultation with NEPA Administration is needed.

An ☒ EA or ☐ EIS will be prepared.

Based upon my review of environmental impacts, the discussions attached, and/or consultations with NEPA Administration, I have determined that the above action does not have a significant impact on the quality of the human environment and that no extraordinary circumstances exist. Therefore, this proposal qualifies for a categorical exclusion under Section 5.2. _____ of TVA NEPA Procedures.

Project Initiator/Manager Anthony David Summitt		Date 07/16/2009
TVA Organization OE&R	E-mail adsummit@tva.gov	Telephone

Site Environmental Compliance Reviewer

Final Review/Closure

_____ Signature	Anthony David Summitt _____ Signature
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07/16/2009

Other Review Signatures (as required by your organization)

Mary A McBryar _____ Signature	_____ Signature
_____ Signature	_____ Signature
_____ Signature	_____ Signature

Attachments/References

Project Title

26a Category 3 RLR191593 & RLR191592 Mr. Kevin S. Rose Federal Highway Administration Watts Bar-Clinch WT - Off Reservoir

Description of Proposed Action

Applicant(s): Mr. Kevin S. Rose Tennessee Department of Transportation Federal Highway Administration Eastern Federal Lands Hwy. Division 21400 Ridgetop Circle Sterling VA 20166 The Federal Highway Administration has applied to replace two bridges in Catoosa Wildlife Management Area. Bridge 1: Potter Ford Rd. over Obed River. Bridge 2: Otter Creek Rd. over Daddy's Creek. The Potter Ford Bridge has been washed out and will be reconstructed in the same location as the previous bridge. The Otter Creek Bridge is structurally compromised and will be replaced approximately 100 feet upstream at the site of an old ford crossing. Plans state that the Otter Creek Bridge will be maintain prior to

and during construction but will be removed when construction of the new bridge is complete. Construction for both bridges will include the installation of the concrete support piers, minor roadway construction, rip rap and concrete wing walls.

TVA Business Units Involved in Project

OE&R - Environmental Stewardship & Policy, River Operations - Support Services

CEC General Comment Listing

1. NEPA staff will complete an abbreviated EA to address state and/or federal aquatic species.
By: Anthony David Summitt 07/02/2009
2. NO COMMENT TEXT
By: 26a Added Comment
File: 26a Application.pdf
3. NO COMMENT TEXT
By: 26a Added Comment
File: catoosa topo.pdf
4. NO COMMENT TEXT
By: 26a Added Comment
File: 191592_Federal Highway Administration_Otter Cr Rd Bridge Replacement_Drawings.pdf
5. NO COMMENT TEXT
By: 26a Added Comment
File: THC Response.pdf
6. NO COMMENT TEXT
By: 26a Added Comment
File: FWS Biological Opinion2.pdf
7. NO COMMENT TEXT
By: 26a Added Comment
File: FWS Biological Opinion1.pdf
8. NO COMMENT TEXT
By: 26a Added Comment
File: Catoosa CE Signed.pdf
9. Environmental Review and Appendices
By: 26a Added Comment
File: App IV_Otter Creek Rd Photos_1.pdf
10. Environmental Review and Appendices
By: 26a Added Comment
File: App II_Correspondence_FINAL.pdf
11. Environmental Review and Appendices
By: 26a Added Comment
File: App I_References_FINAL.pdf
12. Environmental Review and Appendices
By: 26a Added Comment
File: Biological Assessment_Cumberland County Bridges.pdf
13. NO COMMENT TEXT
By: 26a Added Comment
File: TDOT Fee Waiver.pdf
14. NO COMMENT TEXT
By: 26a Added Comment
File: TVA Applicant Disclosure Form.pdf

CEC General Comment Listing

15. NO COMMENT TEXT

By: 26a Added Comment

File: 191593 26a Application.pdf

16. NO COMMENT TEXT

By: 26a Added Comment

File: catoosa topo.pdf

17. NO COMMENT TEXT

By: 26a Added Comment

File: 191593-Federal Highway Administration_Potter Ford Rd Bridge_Drawings.pdf

18. NO COMMENT TEXT

By: 26a Added Comment

File: THC Response.pdf

19. NO COMMENT TEXT

By: 26a Added Comment

File: FWS Biological Opinion.pdf

20. NO COMMENT TEXT

By: 26a Added Comment

File: Catoosa CE Signed.pdf

21. Environmental Review and Appendices

By: 26a Added Comment

File: App III_Potter Ford Rd Photos_FINAL.pdf

22. Environmental Review and Appendices

By: 26a Added Comment

File: App II_Correspondence_FINAL.pdf

23. Environmental Review and Appendices

By: 26a Added Comment

File: App I_References_FINAL.pdf

24. Environmental Review and Appendices

By: 26a Added Comment

File: Biological Assessment_Cumberland County Bridges_FINAL.pdf

25. NO COMMENT TEXT

By: 26a Added Comment

File: TDOT Fee Waiver.pdf

26. NO COMMENT TEXT

By: 26a Added Comment

File: TVA Applicant Disclosure Form.pdf

CEC Comment Listing

Part 2 Comments

1. The TVA Regional Natural Heritage database indicates that the listed aquatic species and designated critical habitat segments described in the Biological Assessment (BA) prepared for this project are accurate. TVA biologist agree with the determinations made in the BA and the conditions outlined in the accompanying Biological Opinion (BO). Provided all habitat conservation measures and reasonable and prudent measures outlined in the BA and BO are followed, TVA concurs with the findings in the BA and BO. TVA will prepare a separate communication to USFWS communicating our agreement with the BA, and requesting that TVA be included as a party to the formal consultation. Strongly suggest you consult with the Core Team for consideration of an EA level of review.

By: John T. Baxter 07/16/2009

1. A review of the TVA Regional Natural Heritage database indicates three federal-listed plant species and five Tennessee state-listed species are known from within five miles of the proposed bridge replacement projects at Potter's Ford Rd over the Obed River and Otter Creek Rd over Daddy's Creek in Cumberland County, TN (Table 1). The Tennessee Department of Transportation conducted field inspections of the action area for federal and state listed species. Based on these findings, TDOT entered into formal consultation with the USFWS for Section 7 of the Endangered Species Act and prepared a Biological Assessment for the Bridge Replacements. Therefore based on the Biological Opinion of USFWS that the action would not likely adversely affect populations of Cumberland rosemary and Virginia spiraea and with the conditions that TDOT comply with BMP's set forth by the USFWS, we concur that the action would have no significant impacts to rare plant populations or their habitats. No permits or commitments are required.
By: Patricia B Cox 05/29/2009
Files: Table. CEC 20511.doc 05/29/2009 37,376 Bytes
1. Review of the TVA Natural Heritage database in June, 2009, indicated records of 6 state-listed terrestrial animal species known to occur within 3 miles of the proposed bridge replacement at Potter Ford Road and bridge relocation near the old ford crossing at Otter Creek Road (see attached table). Based on review of the project location, suitable habitat for hellbender and black mountain salamander appeared available. With the implementation of best management practices as described by TDOT, impacts to hellbender, black mountain salamander and associated habitat is expected to be minimal and temporary in nature. Suitable habitat for other listed species did not appear to be present in the immediate vicinity of the project site and thus impacts to these listed species are not expected to occur as a result of the proposed actions.
By: Holly G. LeGrand 06/17/2009
Files: TerrestrialAnimal_CEC19152.xls 06/17/2009 15,872 Bytes
2. No historic properties will be affected. Concur with approval.
By: Marianne M. Shuler 07/02/2009
4. The proposed project site crosses the Obed National Wild & Scenic River (WSR), also designated as an Outstanding National Resource Water, at two locations: Potter Ford Road (Obed River Bridge) and Otter Creek Road (Daddy's Creek Bridge). Both sites are within the Obed National WSR corridor. Bridge construction over this National Park Service (NPS)-designated WSR could potentially affect the river's scenic, recreation, geologic, and fish and wildlife values. However, after NPS conducted a review, it was determined that with strict adherence to NPS-stated requirements, the proposed action would not "invade or unreasonably diminish" these outstanding resource values. Implementation of the NPS-determined requirements would reduce the effects of the proposed action to minimal and temporary.
By: Jan K Thomas 06/15/2009
4. Proposed project lies within the Obed Wild and Scenic River corridor. NPS review of possible impacts reveals that possible impacts will be minimized and temporary. However, designated river access points occur at both locations of proposed project. This possible impact was not formally addressed in the Categorical Exclusion prepared for the project. Personal correspondence was made with Rebecca Schapansky (manager for OWSR area) and assurance was made that no long term impacts to river access (and therefore recreation values) would occur.
By: S Clay Guerry 06/16/2009
5. Because no such designated waters occur at or adjacent to the project site, the proposed action is not anticipated to impact Nationwide River Inventory streams.
By: Jan K Thomas 06/15/2009
6. A review of project information indicates no wetlands will be affected by the proposed project. The areas proposed for bridge replacement are relatively steep, and no wetlands are present in these areas.
By: Kim Pilarski-Brand 06/16/2009
7. The proposed project involves the construction of bridges within the 100-year floodplain. Consistent with Executive Order 11988, a bridge is considered to be a repetitive action in the floodplain. We have no objection to the proposed project provided the following condition is included in the final CEC and permit: You should contact your local government official(s) to ensure that this facility complies with all applicable local floodplain regulations
By: Roger A. Milstead 06/04/2009
8. The proposed project site is within the 82,000-acre Catoosa Wildlife Management Area (WMA) and is an action proposed by the

Federal Highway Administration in cooperation with Tennessee Wildlife Resources Agency, the Tennessee Department of Transportation, and the NPS Obed WSR to re-establish an adequate transportation system within the Catoosa WMA. Because the proposed action would connect the two sections of Catoosa WMA (at the Daddy's Creek location) and provide safe bridge crossings for hunters and other recreational users of Catoosa WMA, beneficial impacts to this WMA are anticipated. The Cumberland Trail Scenic State Park is in the vicinity of the proposed project site; however, the proposed action is not anticipated to adversely impact this trail system.

By: Jan K Thomas 06/15/2009

9. Due to the scope of the project, there is potential for the action to contribute to the spread of exotic or invasive species. However, with the condition to reseed disturbed areas with an approved seed mix that contains non-invasive grass and plant species, will aid in preventing the introduction and spread of exotic invasive species.

By: Patricia B Cox 05/29/2009

9. Based on review of the proposed project and review of the geographic location, proposed actions are not expected to contribute to the spread of exotic or invasive terrestrial animal species.

By: Holly G. LeGrand 06/17/2009

10. Based on review of the project and geographic location of proposed actions, impacts to migratory bird populations are not expected to occur.

By: Holly G. LeGrand 06/17/2009

15. No uncommon terrestrial plant communities are known from the area to be impacted and none are indicated on the maps and photographs. Therefore, there is no known potential for this project, as described, to impact such resources. No permits or commitments are required.

By: Patricia B Cox 05/29/2009

15. Based on review of the TVA Natural Heritage database in June, 2009, no known caves or other known critical terrestrial habitat was located within 3 miles of the project site. Impacts to unique or important terrestrial habitat are not expected to occur as a result of the proposed actions.

By: Holly G. LeGrand 06/17/2009

16. Federal designated critical habitat for the purple bean mussel and/or spotfin chub are present in areas that would be impacted by construction of these bridges, and could be adversely affected. Protective measures are outlined in the accompanying Biological Assessment and Biological Opinion.

By: John T. Baxter 06/19/2009

16. An abbreviated EA will be completed to adequately address aquatics.

By: Anthony David Summitt 07/10/2009

Part 3 Comments

4. Soil erosion will be minimized by the use of standard best management practices and adherence to general and standard conditions.

By: Anthony David Summitt 06/30/2009

5. Piers will be installed during bridge construction. Existing piers to be removed.

By: Anthony David Summitt 06/30/2009

Part 4 Comments

8. Designated river access points occur at both locations of proposed project. This possible impact was not formally addressed in the Categorical Exclusion prepared for the project. Personal correspondence was made with Rebecca Schapansky (manager for OWSR area) and assurance was made that no long term impacts to river access (and therefore recreation values) would occur. Therefore no significant impacts to the recreation resource are anticipated.

By: S Clay Guerry 06/16/2009

9. See attached letter

By: Deborah K Ruth 06/29/2009

Files: 191592off - 26a - Watts Bar off reservoir- TDOT.doc 06/29/2009 25,600 Bytes

CEC Permit Listing

Part 3 Permits

CEC Permit Listing

5. Section 404 Permit (C 404 Clean Water Act)
By: Anthony David Summitt 06/30/2009

CEC Commitment Listing

Part 2 Commitments

4. Strictly adhere to the National Park Service stated requirements during constuction of bridges.
By: Jan K Thomas 06/15/2009